

TOMORROW'S FORECAST

* The House will reconvene for its 40th Legislative Day on Thursday, March 28, at 9:30 AM.



GEORGIA HOUSE OF REPRESENTATIVES

DAILY REPORT

Tuesday, March 26, 2013

39th Legislative Day

TODAY ON THE FLOOR

MOTIONS TO INSIST

SB 62 - Federal and State Funded Health Care Financing Program Overview Committee; establish

- BILL SUMMARY: SB 62 creates a joint committee of the General Assembly, the Federal and State Funded Health Care Financing Programs Overview Committee. The Committee will consist of one member of the House and Senate appointed by the Governor; the Chairpersons from the following House Committees: Appropriations, Health and Human Services, and Ways and Means; the Chairpersons from the following Senate Committees: Appropriations, Health and Human Services, and Finance; and finally minority leaders from the House and Senate. Members will serve a two-year term which will run concurrent with their Legislative term. The chairperson is to be appointed by the Speaker and the vice chairperson is to be appointed by the President of the Senate. The Committee will review actions and statutory duties, analyze reports, and make recommendations of the board and the department under this article, Chapter 8 of Title 31, Article 9. On or before January first of each year, the Committee will report findings and recommendations to the General Assembly.

The Committee members will be allowed to use state funds available to the legislative branch for purposes of this Committee.

- **Authored By:** Sen. Judson Hill of the 32nd
- **House Committee:** Human Relations & Aging
- *A motion to insist sends this bill back to the Senate for consideration.*

SB 113 - Civil Practice; personal service of a summons on a corporation; provisions

- BILL SUMMARY: SB 113 removes a 'cashier,' 'secretary,' and 'other agent' from service of process to a corporation. In addition, the bill defines 'managing agent.'
- **Authored By:** Sen. Emanuel Jones of the 10th
- **House Committee:** Judiciary
- *A motion to insist sends this bill back to the Senate for consideration.*

SB 121 - License Plates; retired members of the General Assembly

- BILL SUMMARY: SB 121 authorizes the creation of a specialty license plate for former members of the General Assembly that served at least eight years. It also provides for the creation of specialty license plates supporting the Appalachian Trail Conservancy and the Atlanta Braves. Ten dollars from the sale of each plate will go to the Appalachian Trail Conservancy and the Atlanta Braves Foundation respectively.
- **Authored By:** Sen. Ronald B. Ramsey, Sr. of the 43rd
- **House Committee:** Motor Vehicles
- *A motion to insist sends this bill back to the Senate for consideration.*

SB 137 - Income Tax; authorize the commissioner of economic development to designate areas as opportunity zones

- BILL SUMMARY: SB 137 requires that for applications for Opportunity Zone tax credits, beginning July 1, 2013 both the Commissioners of Economic Development and Community Affairs must approve the application.
- **Authored By:** Sen. Rick Jeffares of the 17th
- **House Committee:** Ways & Means
- *A motion to insist sends this bill back to the Senate for consideration.*

SB 160 - Public Employers; provide annual report relative to compliance with certain laws; provide for certain report to Dept. of Audits and Accounts

- BILL SUMMARY: SB 160 mirrors language in Rep. Dusty Hightower's HB 125.

SB 160 makes some necessary updates to our Code dealing with immigration. First, it redefines the 'physical performance of services' and allows for an exception from e-verify reporting for contracts smaller than \$2,499.99. SB 160 streamlines the business license process for renewals by only requiring the business submit its federal work authorization user number.

It adds to the definition of 'public benefit.' It streamlines the citizenship verification process for government benefits by only requiring that verification be provided upon initial application for a government benefit or service.

Finally, SB 160 creates a new Code section to establish guidelines for the annual immigration compliance report which each agency and political subdivision is required to send to the Department of Audits and Accounts.

- **Authored By:** Sen. Frank Ginn of the 47th
- **House Committee:** Judiciary Non-Civil
- *A motion to insist sends this bill back to the Senate for consideration.*

MOTIONS TO AGREE

HR 4 - Georgia and Tennessee; boundary dispute; propose settlement

- BILL SUMMARY: HR 4 urges the State of Tennessee to accept a settlement of the boundary dispute between the State of Georgia and the State of Tennessee. The settlement reflects the flawed 1818 survey as the boundary line along with a metes and bounds exception which would be made a part of the State of Georgia so that Georgia can exercise its riparian water rights to the Tennessee River at Nickajack.
- The resolution further authorizes the Governor to enter into any necessary negotiations with the State of Tennessee to resolve this dispute.
- **Authored By:** Rep. Harry Geisinger of the 48th
- **House Committee:** Judiciary
- *A motion to agree represents final passage of this bill.*

HB 115 - Local boards of education; suspension and removal of members under certain circumstances; revise provisions

- BILL SUMMARY: House Bill 115 changes the procedure used by the State Board of Education for suspending members of a local school board following their school system losing accreditation. The bill says that the local board shall notify the State Board within 3 business days of a local system losing accreditation. It extends the period of time the state board has to conduct the hearing from 30 days to 90 days. Once the hearing has begun, this bill grants the local boards of education, by a majority vote of the members, the ability to petition the state board to continue the hearing.
- **Authored By:** Rep. Tom Dickson of the 6th
- **House Committee:** Education
- *A motion to agree represents final passage of this bill.*

HB 122 - Sexual Offender Registration Review Board; review and utilize records of Board of Pardons and Paroles in making assessments; authorize

- BILL SUMMARY: HB 122 allows GBI and the Board of Pardons and Paroles to share confidential supervision records of an offender with the Sexual Offender Registration Review Board.
- **Authored By:** Rep. Kevin Tanner of the 9th
- **House Committee:** Judiciary Non-Civil
- *A motion to agree represents final passage of this bill.*

HB 131 - HOPE; dual credit courses; treated the same as advanced placement and international baccalaureate courses for determining eligibility; provide

- BILL SUMMARY: HB 131 amends O.C.G.A. 20-2-157 by providing that dual credit courses shall be treated in the same manner as advanced placement and international baccalaureate courses for purposes of determining eligibility for the HOPE scholarship.

- **Authored By:** Rep. Valerie Clark of the 101st

- **House Committee:** Higher Education

- ***A motion to agree represents final passage of this bill.***

HB 197 - Ad valorem tax; land subject to a forest land conservation use covenant; provide taxation

- BILL SUMMARY: HB 197 clarifies certain provisions within the Conservation Use properties and Forest Land protection laws. Additionally the legislation proposes to allow the Commissioner of Revenue to appoint independent performance review boards to evaluate tax digests that have been called into question for technical accuracy. Lastly, the legislation provides for a mechanism to produce a valuation of a property that is under valuation appeal.

- **Authored By:** Rep. Jay Powell of the 171st

- **House Committee:** Ways & Means

- ***A motion to agree represents final passage of this bill.***

HB 283 - Education; update and revise terminology; provisions

- BILL SUMMARY: House Bill 283 amends Title 20 of the O.C.G.A. relating to education. It implements recommendations from the Education Finance Study Commission, renames vocational to career technical and agriculture, removes obsolete No Child Left Behind language, renames commission charter schools to state charter schools, clarifies that Charter Advisory Commission is only for charter systems, implements budget savings for charter systems, cleanup to Online Clearinghouse and implements request by governor's office to set up a non-profit for Office of Student Achievement.

- **Authored By:** Rep. Brooks Coleman of the 97th

- **House Committee:** Education

- ***A motion to agree as amended by the House sends this bill back to the Senate for consideration***

HB 315 - Nurses; continuing competency requirements as requirement for license renewal; provide

- BILL SUMMARY: House Bill 315 provides continuing competency requirements for nurses. Beginning in the 2016 license renewal cycle, applicants must satisfy one of the following continuing competency requirements. First time renewal applicants are exempt.

- 1.) 30 hours of continuing education hours.
- 2.) Maintenance or certification by a national certifying body.
- 3.) Completion of an academic program of study in nursing.
- 4.) Verification of competency by a health care facility in which the nurse practiced 500 hours.
- 5.) Other activities as prescribed and approved by the board.

A non-practicing nurse may request that their license be placed on inactive status. To restore an inactive license, the licensee must submit an application, pay a fee, and provide evidence of competency to resume practice.

HB 315 also requires registered nurses, licensed practical nurses, advanced practice registered nurses, nursing employers, and state nursing licensing agencies to report to the Nursing Board if they suspect or know of a nurse violating Code Section 43-26-53.

These violations are as follows:

1. Practicing nursing without a valid, current license.
2. Practicing nursing under cover of any illegal or fraudulently obtained diploma or license.
3. Practicing nursing during the time a license is suspended, revoked, surrendered or administratively revoked.
4. Using any words, abbreviations, figures, letters, title, sign, card or device implying that the person is an RN, LPN, or APN unless that person is licensed as such.
5. Fraudulently furnishing a license to practice nursing.
6. Knowingly aiding or abetting any person violating this code section.
7. Being convicted of any felony or crime involving moral turpitude or related to controlled substances or dangerous drugs.
8. Displaying an inability to practice nursing with reasonable skills and safety due to the use of drugs or alcohol.

The board may seek an order from a court of competent jurisdiction for a report from a nurse if he/she is not forthcoming voluntarily. The board may also seek a citation for civil contempt if a court order for a report is not obeyed by such nurse.

No nurse, employer, or agency that, in good faith, either reports or fails to report, will be subject to civil or criminal liability or discipline for unprofessional conduct. No physician or licensed health care professional who examines a nurse at the request of the board will be subject to suit for damages by the nurse examined.

- **Authored By:** Rep. Sharon Cooper of the 43rd
- **House Committee:** Health & Human Services
- *A motion to agree represents final passage of this bill.*

HB 359 - Unclaimed property; commissioner of revenue to deposit certain funds in state treasury; require

- BILL SUMMARY: HB 359 provides the ability to the Commissioner of Revenue to deposit revenues from unclaimed property into the general fund instead of retaining such revenues in a segregated account of the state.
- **Authored By:** Rep. Chad Nimmer of the 178th
- **House Committee:** Ways & Means
- *A motion to agree represents final passage of this bill.*

HB 372 - HOPE; grant at technical college or university institutions; revise eligibility

- BILL SUMMARY: House Bill 372 reduces from a 3.0 to a 2.0 the required grade point average to qualify for the HOPE grant.
- **Authored By:** Rep. Christian Coomer of the 14th
- **House Committee:** Appropriations
- *A motion to agree as amended by the House sends this bill back to the Senate for consideration*

RULES CALENDAR

SB 62 - Federal and State Funded Health Care Financing Program Overview Committee; establish

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The Committee members will be allowed to use state funds available to the legislative branch for purposes of this Committee.

- **Authored By:** Sen. Judson Hill of the 32nd
- **House Committee:** Human Relations & Aging
- **Rule:** Modified-Open
- **Amendments(s):** N/A
- **Yeas:** 126; **Nays:** 27

SB 91 - "Emerging Crops Fund Act"; repeal

- BILL SUMMARY: The substitute bill amends Title 2 of the OCGA Annotated relating to agriculture, and is revising Chapter 8A, relating to the "Emerging Crops Fund Act."
- **Authored By:** Sen. Tyler Harper of the 7th
- **House Committee:** Agriculture & Consumer Affairs
- **Rule:** Modified-Structured
- **Yeas:** 161; **Nays:** 1

SB 104 - Community Affairs, Dept of; comprehensive plans of local government; revise the minimum elements

- BILL SUMMARY: SB 104 codifies rules and regulations promulgated by the Department of Community Affairs resulting from the recommendations of a task force created by SB 86 from 2010. These rules relate to the comprehensive planning of local governments.
- **Authored By:** Sen. Frank Ginn of the 47th
- **House Committee:** Governmental Affairs
- **Rule:** Modified-Open
- **Amendments(s):** AM 28 1263; AM 29 2184
- **Yeas:** 169; **Nays:** 7

SB 142 - Georgia Judicial Retirement System; board of trustees; authority to determine the time/circumstances of paying benefits; qualified plan under federal law

- BILL SUMMARY: This bill adds and revises language under Article 6 of Chapter 23 of Title 47 of the Official Code of Georgia, relating to the Georgia Judicial Retirement System. First, language is added so that the board of trustees would be authorized to determine the time and circumstances of paying benefits to members, to preserve the systems status as a qualified plan under federal law. Also, language is added that states any state entity, other than the Georgia General Assembly, will notify the retirement system of any retired member that becomes employed and works over 1,040 hours in a calendar year. If the employer does not notify the system and wrongfully pays out any benefits the employer would have to reimburse the system. If the employee fails to notify the employer that they are a member of the retirement system, the employer is held harmless for any liability. This is a non-fiscal retirement bill.
- **Authored By:** Sen. Fran Millar of the 40th
- **House Committee:** Retirement
- **Rule:** Modified-Open
- **Yeas:** 168; **Nays:** 2

SB 143 - Retirement System; board of trustees of public retirement systems; provide duties

- BILL SUMMARY: This bill adds language under Article 1 of Chapter 20 of Title 47 of the Official Code of Georgia, relating to Public Retirement Systems Standards Law. Language is added to reference common law duties for the board of trustees of public retirement systems that can be found in Title 53. This is a nonfiscal retirement bill.
- **Authored By:** Sen. Fran Millar of the 40th
- **House Committee:** Retirement
- **Rule:** Modified-Open
- **Yeas:** 168; **Nays:** 0

SB 145 - Agritourism; add farm weddings to the definition

- BILL SUMMARY: SB 145 allows for property owners who have placed their property into a conservation use covenant to use their property out for "farm weddings" and to host for not for profit equestrian performance events.
- **Authored By:** Sen. Bill Heath of the 31st
- **House Committee:** Ways & Means
- **Rule:** Structured
- **Yeas:** 160; **Nays:** 1

SB 177 - Georgia Tourism Foundation; change the membership

- BILL SUMMARY: Senate bill 177 establishes the Georgia Tourism Foundation within the Department of Economic Development. The foundation will be comprised of no less than 9, but no more than 18 members appointed by the Governor, for a total membership of no more than 20. Membership will always include at least 3 members of the Board of Economic Development, but at no time will the Board members comprise more than one-third of the Foundation's membership. The Georgia Tourism Foundation will be authorized to fix a precise number of members, within these parameters, by resolution adopted from time to time at a meeting attended by a majority of its members.

The foundation will be granted the following charitable public purposes and powers:

- Soliciting and accepting contributions of money and in-kind contributions of services and property for the State-wide Tourism Marketing Program;
- Making and disbursing contributions to the department for such purposes;
- Seeking recognition of tax exempt status by the U.S. Internal Revenue Service and seeking confirmation concerning the deductibility of contributions;
- Formulating recommendations for the State-wide Tourism Marketing Program;
- Creating subsidiaries with like character and powers but with limited missions keyed to particular component programs and activities, per the Governor's approval;
- Providing additional officers and governance through bylaws which are consistent with the goals of lessening the

government burden in promoting tourism, establishing and maintaining tax exempt status, and soliciting deductible contributions; and the

- Authority to administer and disperse grants and gifts awarded by the federal government in accordance with the terms of said grants and gifts.
- **Authored By:** Sen. Frank Ginn of the 47th
- **House Committee:** Economic Development & Tourism
- **Rule:** Modified-Open
- **Yeas:** 159; **Nays:** 1

SB 178 - Georgia Legislative Retirement System; define a certain term; broaden certain provision

- **BILL SUMMARY:** This bill adds and revises language under Article 6 of Chapter 6 of Title 47 of the Official Code of Georgia, relating to the Georgia Legislative Retirement System. First, language is added so that the board of trustees would be authorized to determine the time and circumstances of paying benefits to members, to preserve the systems status as a qualified plan under federal law. This bill also revises the definition of the term “public employer” as it relates to rehired retirees who return to work more than 1,040 hours in a calendar year. The term public employer now includes any branch of state government and any state agency, department, board, or bureau, which includes the Board of Regents and any public school system.
- **Authored By:** Sen. Fran Millar of the 40th
- **House Committee:** Retirement
- **Rule:** Modified-Open
- **Yeas:** 169; **Nays:** 1

SB 218 - Highways, Bridges and Ferries; annual commercial wrecker emergency tow permits; qualifications for issuance

- **BILL SUMMARY:** SB 218 amends Code relating to emergency tow permits which were created in HB 835 during the 2012 legislative session. The bill cleans up language on weights on single and tandem axles.
- **Authored By:** Sen. Steve Gooch of the 51st
- **House Committee:** Transportation
- **Rule:** Modified-Open
- **Yeas:** 163; **Nays:** 0

SB 242 - Downtown Development Authorities; undertake projects; reducing energy or water consumption; renewable resources

- **BILL SUMMARY:** Senate bill 242 allows downtown development authorities to undertake projects reducing energy or water consumption, or make an improvement to property that produces energy from renewable resources within the territorial boundaries of a municipal corporation.
- **Authored By:** Sen. Hunter Hill of the 6th
- **House Committee:** Energy, Utilities & Telecommunications
- **Rule:** Modified-Open
- **Yeas:** 165; **Nays:** 3

SR 293 - Ralph A. Pierce Memorial Highway; Lumpkin County; dedicate

- **BILL SUMMARY:** This is the Senate road and bridge dedication package. This includes the following resolutions:

SR 293

Sen. Steve Gooch

SR 293 dedicates the portion of Ga. 52 in Lumpkin County from Ga. 115 to the Hall County line as the Ralph A. Pierce Memorial Highway.

SR 379

Sen. Steve Gooch

SR 379 dedicates the intersection of U.S. Highway 19 and Cavender Creek Road in Lumpkin County as the Judge William Jeffrey Lowe Memorial Intersection.

SR 73

Sen. Donzella James

SR 73 dedicates the bridge on State Route 29 over the train tracks near Roosevelt Highway and Welcome All Road in Fulton County as the Dekai Amonrasi Memorial Bridge.

SR 96

Sen. Tim Golden

SR 96 dedicates the portion of Interstate 75 in Lowndes County from the West Hill Avenue exit to the North Valdosta Road exit

as the Governor Melvin Ernest Thompson Memorial Highway.

SR 383

Sen. Jeff Mullis

SR 383 dedicates the intersection of Battlefield Parkway and Dietz Road in Catoosa County as the Sergeant John A. Franklin Memorial Intersection.

SR 418

Sen. William Ligon

SR 418 dedicates GA25-Spur E. from Brunswick to St. Simons Island in Glynn County as the F.J. Torras Causeway.

Sen. Butch Miller

Additional language to the substitute passed by the Senate dedicates the intersection of Highway 129 and Athens Street in Hall County as the Beulah Rucker Oliver Memorial Intersection.

HR 512

Rep. Mickey Channell

HR 512 dedicates the bridge on Veazey Road over Interstate 20 in Greene County as the Felton L. Hudson Memorial Bridge.

HR 513

Rep. Carl Rogers

HR 513 dedicates the portion of State Route 347 from Interstate 985 East to the Old Winder Highway as the Lanier Islands Parkway.

HR 530

Rep. Nikki Randall

HR 530 dedicates the interchange of I-475 and Thomaston Road in Macon-Bibb County as Veterans of All Wars Interchange.

HR 570

Rep. Al Williams

HR 570 dedicates the interchange and bridge at Interstate 95 over U.S. Highway 17 at South New Port Road in Liberty County as the Reverend Willie Anderson, Sr., Memorial Interchange.

HR 604

Rep. Pat Gardner

HR 604 dedicates the interchange at Interstate 75 and Exit 251 in Fulton County as the Senior Patrol Officer Gail Denise Thomas Memorial Interchange.

HR 702

Rep. Ellis Black

HR 702 dedicates the bridge on Ga. 177 over Sweetwater Creek between Fargo and Stephen Foster State Park in Clinch County as the Ray Daugharty Memorial Bridge.

HR 719

Rep. Keisha Waites

HR 719 dedicates the bridge on Cleveland Avenue over Interstate 75 in Fulton County as the John Charles Birdine, Jr., Memorial Bridge.

HR 759

Rep. Jason Shaw

This resolution dedicates the portion of Ga. 122 in Lanier County that runs beside Banks Lake from the City of Lakeland to the Lowndes County line as the Governor Eurith Dickson "Ed" Rivers Memorial Highway.

HR 761

Rep. Penny Houston

This resolution dedicates the bridge on County Road 246 Kinard Bridge Road over Interstate 75 in Cook County as the Jim McClelland, Sr., POW Memorial Bridge.

- **Authored By:** Sen. Steve Gooch of the 51st

- **House Committee:** Transportation

- **Rule:** Modified-Structured

- **Yeas:** 169; **Nays:** 1

LOCAL CALENDAR

HB 655 - Brantley County Airport Authority; transfer all assets, property, and legal rights and obligations to Brantley County

- BILL SUMMARY: A Bill to repeal the Act creating the Brantley County Airport Authority and to transfer all assets, property, and legal rights and obligations of the Authority to Brantley County.
- **Authored By:** Rep. Chad Nimmer of the 178th
- **House Committee:** Intragovernmental Coordination - Local
- **Rule:** Open
- **Yeas:** 156; **Nays:** 0

SB 250 - Port Wentworth, City of; change the description of the council districts

- BILL SUMMARY: A Bill to reapportion the Port Wentworth City Council.
- **Authored By:** Sen. Lester G. Jackson of the 2nd
- **House Committee:** Intragovernmental Coordination - Local
- **Rule:** Open
- **Yeas:** 156; **Nays:** 0

SB 253 - Calton, City of; provide for a new charter

- BILL SUMMARY: A Bill to provide a new charter for the City of Carlton.
- **Authored By:** Sen. Frank Ginn of the 47th
- **House Committee:** Intragovernmental Coordination - Local
- **Rule:** Open
- **Yeas:** 156; **Nays:** 0

** The House will reconvene Thursday, March 28, at 09:30 AM, for its 40th Legislative Day.*

COMMITTEE ACTION REPORT

Health & Human Services

HR 74 - Health; development of minority owned plasma centers; encourage

- BILL SUMMARY: House Resolution 74 encourages the U.S. plasma collection industry to allow African Americans to participate in the plasma collection process by executing plasma collection agreements.
- **Authored By:** Rep. Roger Bruce of the 61st
- **Committee Action:** Do Pass

** Bills passing committees are reported to the Clerk's Office, and are then placed on the General Calendar.*

COMMITTEE MEETING SCHEDULE

Wednesday, March 27, 2013

10:00 AM - 11:00 AM	Sales Tax Subcommittee of Ways & Means	133 CAP
11:00 AM - 12:00 PM	NATURAL RESOURCES & ENVIRONMENT	606 CLOB
11:00 AM - 12:00 PM	Income Tax Subcommittee of Ways & Means	133 CAP
1:00 PM - 3:00 PM	MARTOC	406 CLOB

** This meeting schedule is up to date at the time of this report, but meeting dates and times are subject to change. To keep up with the latest schedule please visit www.house.ga.gov and click on [Meetings Calendar](#).*